

Remand-Related Discovery (“Motion to Conduct Remand-Related Discovery”). On or about September 22, 2005, Plaintiff filed an Opposition to this Motion to Conduct Remand-Related Discovery. Defendant’s Motion to Conduct Remand-Related Discovery remain pending before this Court.

Significantly, on January 25, 2006, in other matters brought by Plaintiff’s counsel against these Defendants, Gloria Garret v. American International Group, Inc., et al., Civil Action No. 05-2639-Ma/P; Elmo Thomas v. American International Group, Inc., et al., Civil Action No. 05-2651-Ma/P; and Roosevelt Walton v. American International Group, Inc., et al., Civil Action No. 05-2652-D/P, the Honorable Magistrate Judge Tu M. Pham of the United States District Court for the Western District of Tennessee granted Defendants’ motion to compel responses to remand-related discovery. (A copy of Magistrate Judge Pham’s order is attached hereto as Exhibit “A”).

Similarly, on January 13, 2006, in other matters brought by Plaintiff’s counsel against these Defendants, Irby v. American International Group, Inc., et al., Civil Action No. 05-2634; Robertson v. American International Group, Inc., et al., Civil Action No. 05-2635; Mason v. American International Group, Inc., et al., Civil Action No. 05-2636; Sims v. American International Group, Inc., et al., Civil Action No. 05-2637; Trezevant v. American International Group, Inc., et al., Civil Action No. 05-2650; Upshaw v. American International Group, Inc., et al., Civil Action No. 05-2653; Marshall v. American International Group, Inc., et al., Civil Action No. 05-2655; Armstrong v. American International Group, Inc., et al., Civil Action No. 05-2700; and Oliver v. American International Group, Inc., et al., Civil Action No. 05-2701, the Honorable Judge Diane K. Vevesco of the United States District Court for the Western District of Tennessee granted Defendants’ motion to compel responses to remand-related discovery. (A

sample copy of the electronic filing notifying the parties of Judge Vevesco's order is attached hereto as Exhibit "B").

Defendants respectfully request that this Court consider the rulings of Judge Pham and Judge Vevesco as persuasive authority and enter a similar order permitting them to conduct the necessary remand-related discovery in the present action.

WHEREFORE, Defendants respectfully request that this Honorable Court grant Defendants' Motion to Conduct Remand-Related Discovery.

Respectfully submitted,

s/ Matthew T. Mitchell

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CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2006, I electronically filed the foregoing Supplement to Defendants' Motion for an Extension of Time to Respond to Plaintiffs' Motion to Remand for the Purpose of Conducting Remand-Related Discovery with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Jere L. Beasley, Thomas J. Methvin, C. Lance Gould, Thomas Julian Butler, David A. Elliott, Robert H. Rutherford, Jeffrey M. Grantham, and John Thomas Aquina Malatesta.

s/ Matthew T. Mitchell
OF COUNSEL